

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

UNITED STATES OF AMERICA

v.

KRISTOPHER LEE DALLMANN,

DOUGLAS M. COURSON,

FELIPE GARCIA,

JARED EDWARD JAUREQUI,  
a/k/a Jared Edwards,

PETER H. HUBER, and

YOANY VAILLANT,  
a/k/a Yoany Vaillant Fajardo

*Defendants.*

Crim. No. 1:19-CR-253

The Honorable T.S. Ellis, III

**NOTICE OF A GOVERNMENT WITNESS'S TRAVEL FROM A LOCATION WITH  
CORONAVIRUS AND NOTICE OF INTENT TO PRESENT HEARSAY TESTIMONY**

On June 19, 2020, this Court will hold a hearing on Defendant Kristopher Lee Dallmann's Motion to Suppress, Dkt. 242, and a hearing on Defendant Jared Edward Jaurequi's alleged violations of the conditions of his supervised release, Dkt. 264. The purpose of this Motion is to notify the Court that a witness at the suppression hearing will be traveling from a location with a known incidence of the coronavirus, and to advise the Court of our intent to present hearsay testimony at the supervised release hearing pursuant to 18 U.S.C. 3142(f). In support of this Motion, we proffer the following:

1. For purposes of Mr. Dallmann's Motion to Suppress, we may call FBI Special

Agent Curtis Cox. We have been advised that Special Agent Cox currently is working in Gallup, New Mexico, which is an area that, as of May 19, 2020, accounted for 30% of all of New Mexico's coronavirus infections. See Morgan Lee, *Outbreak Overwhelms Rural New Mexico Hospital*, The Journal Gazette (May 19, 2020), available at <https://www.journalgazette.net/news/us/20200519/outbreak-overwhelms-rural-new-mexico-hospital> (last visited June 4, 2020). In addition, Special Agent Cox's area of responsibility includes the Navajo Nation, which as of May 18, 2020, had the highest per capita infection rate in the country. See Leslie Perrot, *Navajo Nation Surpasses New York State for the Highest Covid-19 Infection Rate in the US*, CNN (May 18, 2020), available at <https://www.cnn.com/2020/05/18/us/navajo-nation-infection-rate-trnd/> (last visited June 4, 2020). It is our understanding that Special Agent Cox has had to respond to the Navajo Nation once in the past month, and it is possible that his work will require him to go there between now and when he arrives in Alexandria the week of June 15, 2020.

2. Neither New Mexico nor the Navajo Nation are among the locations listed in General Order No. 2020-12, which prohibits a person's entry to the Alexandria Courthouse if he or she has been in that location within the last 14 days. Nonetheless, we have asked Special Agent Cox if he could arrive in Alexandria by June 5 and remain here until June 19. We have been advised that given the small size of Special Agent Cox's office and its caseload, it would difficult for his office to forego his presence for an extended period of time.

3. On May 21, 2020, we asked defense counsel by email whether they would consent to Special Agent Cox's appearance by telephone or videoconference. To date, we have received no response. Accordingly, we expect to have Special Agent Cox appear in person at the hearing. He will not arrive in Alexandria, however, until the week of June 15.

4. With respect to Mr. Jaurequi's supervised release hearing, we have asked defense

counsel if Mr. Jaurequi will consent to his U.S. Probation Officer in Las Vegas appearing by video- or tele-conference. On June 2, 2020, Mr. Jaurequi's counsel advised that he would speak with his client and let us know. To date, we have received no further response.

5. General Order 2020-16 encourages limiting the number of persons at a proceeding to "the minimum number of necessary participants." Accordingly, in order to minimize the number of witnesses appearing on June 19, we intend to call only U.S. Probation Officer Nicole R. Andrews, who is based in Alexandria, and not the U.S. Probation Officer who is supervising Mr. Jaurequi in Las Vegas. Such hearsay testimony is permitted under § 3142(f).

Respectfully submitted,

G. Zachary Terwilliger  
United States Attorney

Date: June 4, 2020

By: /s/  
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**CERTIFICATE OF SERVICE**

I hereby certify that on June 4, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which automatically generated a Notice of Electronic Filing to the parties of record.

By:                     /s/                      
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